

**02-1632 BLAKELY v. WASHINGTON**

Opinion below: Wash. Ct. App., 47 P.3d 149

QUESTION PRESENTED:

Whether a fact (other than a prior conviction) necessary for an upward departure from a statutory standard sentencing range must be proved according to the procedures mandated by *Apprendi v. New Jersey*, 530 U.S. 466 (2000).

CERT. GRANTED: 10/20/03